

Notice of Allowability

Application No.

10/602,180

Examiner

William C. Choi

Applicant(s)

CAMPBELL, SCOTT P.

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 9/10/2004.
2. ☒ The allowed claim(s) is/are 1-13 and 15-25.
3. ☒ The drawings filed on 24 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

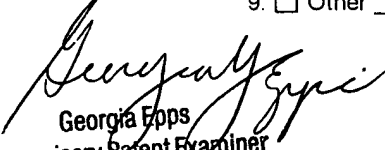
* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Georgia Epps
Supervisory Patent Examiner
Technology Center 2800

Allowed Claims: 1-13 and 15-25.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: none of the prior art either alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103.

Specifically, with respect to independent claim 1, none of the prior art alone or in combination disclose or teach of a method for using a length dispersion of an etalon as claimed, specifically comprising selecting an etalon having a plurality of resonant frequencies which approximate target resonant frequencies based at least in part in consideration of a length dispersion of the etalon.

Specifically, with respect to independent claim 6, none of the prior art alone or in combination disclose or teach of a method for using a length dispersion of an etalon as claimed, specifically comprising selecting a length dispersion for the etalon suitable to cooperate with a material dispersion to produce a plurality of resonant frequencies which approximate target resonant frequencies.

Specifically, with respect to independent claim 15, none of the prior art alone or in combination disclose or teach of a method for using a length dispersion of an etalon as claimed, specifically comprising determining an impact of the length dispersion of the etalon on a plurality of resonant frequencies of the etalon and selecting the etalon for application in an optical system based at least in part on the length dispersion of the etalon.

Specifically, with respect to independent claim 20, none of the prior art alone or in combination disclose or teach of a method for using a length dispersion of an etalon as claimed, specifically comprising determining an impact of a length dispersion of the etalon on a plurality of resonant frequencies of the etalon, comparing the plurality of resonant frequencies of the etalon with a plurality of target resonant frequencies and selecting the etalon for application in an optical system based at least in part on a result of the comparison.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Choi whose telephone number is (571) 272-2324. The examiner can normally be reached on Monday-Friday from about 9:00 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

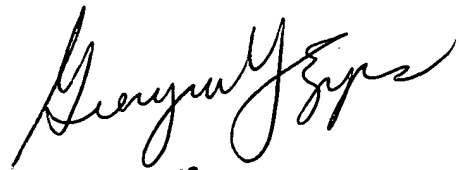
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

W.C

William Choi
Patent Examiner
Art Unit 2873
October 3, 2004


Georgia Epps
Supervisory Patent Examiner
Technology Center 2800